

REMARKS/ARGUMENTS

The Examiner is thanked for their review of the application.

Claims 1 to 16 remain in this application. Claims 1, 2, 4, 5 and 6 have been amended. No new matter has been added.

In the Office Action dated December 1, 2006, the Examiner has rejected Claims 1, 4, 5, 14, 15 under 35 U.S.C. 103(a) as being unpatentable over Ouimet et al (US 6,094,641), and further in view of Ouimet et al (US 6,078,893).

Regarding Claim 1 the Examiner has stated that “Ouimet '641 discloses: an econometric engine . . . a financial model engine for modeling costs to create a cost model, (col. 4, lines 52-53, [**pricing model**], which includes an activity-based costing module, (Col. 2, lines 1-12, including visibility, and taking **the promotional cost into account when modifying the demand model**, in this case, the module is inherent with Ouimet since Ouimet's system is computer-implemented and in order to create models, a module is necessary in a computerized system); wherein said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity... (Col. 2, lines 5-17, determining the promotional cost by determining both optimum price and promotional activity, where the promotional cost represents the cost for each selected costing activity) . . . Ouimet '641 fails to disclose a configuration to receive variable costs and fixed costs, but does disclose a pricing module in col. 4, lines 52-53. However, Ouimet '893 discloses: configured to receive variable costs and fixed costs, (col. 6, lines 42-61, shows that when a user selects a market model, **it can be one with no price change or one that does not contain adjustable market model parameters, also shows the model using adjustable parameters**, in this case, the parameters are directly proportional to the variables, therefore, if the parameters are adjusted, so are the variables such as price). Ouimet '893 discloses this limitation in an analogous art for the purpose of showing that **market models can be**

represented by using values that change/are adjustable, and also do not need to contain adjustable values. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive variable costs and fixed costs with the motivation of creating both a fixed or variable market model.” (Emphasis added).

Regarding Claim 4 the Examiner has stated that “Ouimet '641 discloses: . . . creating a cost model, (col. 4, lines 52-53, [**pricing model**], which includes activity-based costing, Col. 2, lines 1-12, including visibility, and taking the promotional cost into account when modifying the demand model); wherein said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity.. . (Col. 2, lines 5-17, **determining the promotional cost by determining both optimum price and promotional activity**, where the promotional cost represents the cost for each selected costing activity . . . the activity-based costing including fixed costs and variable costs, (col. 6, lines 42-61, shows that when a user selects a market model, it can be one with no price change or one that does not contain adjustable market model parameters, also shows the **model using adjustable parameters, in this case, the parameters are directly proportional to the variables**, therefore, if the parameters are adjusted, so are the variables such as price). Ouimet '893 discloses this limitation in an analogous art for the purpose of showing that **market models can be represented by using values that change/are adjustable, and also do not need to contain adjustable values.** It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive variable costs and fixed costs with the motivation of creating both a fixed or variable market model.” (Emphasis added).

Base Claim 1 has been amended to recite “an econometric engine for modeling internal sales as a function of price to create an internal sales model, wherein said econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein said each said set is defined by a user such that each said set is unique to said user, and wherein said sets are generated by comparing product attribute information; a financial model engine for modeling costs to create a cost model which

includes an activity-based costing module configured to receive variable costs and fixed costs, **wherein variable costs are related to the volume of sales and wherein fixed costs are independent of volume of sales**, wherein said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity including labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, and **wherein computing costs utilizes industry standards data**; and an optimization engine coupled to the econometric engine and financial model engine to receive input from the econometric engine and financial model engine, wherein the optimization engine generates the preferred set of prices.” (Emphasis added).

Similarly, base Claim 4 has been amended to recite “creating an internal sales model, wherein said internal sales model clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein said each said set is defined by a user such that each said set is unique to said user, and wherein said sets are generated by comparing product attribute information; creating a cost model which includes activity-based costing, the activity-based costing including fixed costs and variable costs, **wherein variable costs are related to the volume of sales and wherein fixed costs are independent of volume of sales**, wherein said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity including labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, and **wherein computing costs utilizes industry standards data**; and generating the preferred set of prices for the plurality of products based on the internal_sales model and cost model.” (Emphasis added).

Support for the amendments to Claims 1 and 4 can be found in page 17, lines 2-3 of the Specifications as filed, which states “can use the product information to define ‘demand groups’ (i.e. groups of highly substitutable products).” Also in page 75, lines 1-3 of the Specifications as filed, which states “variable cost components where the cost of an item is a function of the amount of sales of the item and fixed cost components where the cost of an item is not a function of the amount of

sales of the item.” Also in page 75, lines 6-12 of the Specifications as filed, which states “[t]he financial model engine 108 uses industry data to provide standard estimates . . . standard estimates helps to reduce the amount of data that must be collected . . . to allow a cost modeling.”

As such, it is respectfully submitted that Ouimet ‘893 does not teach or suggest a system “configured to receive variable costs and fixed costs, wherein variable costs are related to the volume of sales and wherein fixed costs are independent of volume of sales” in order to “to create a cost model” in the manner recited in Claims 1, 4. Support can be found in page 75, lines 1-3 of the Specifications as filed.

It appears that in Ouimet ‘893 the “adjustable market model parameters” disclosed “effectively adds a penalty for values of the parameter” in order to dampen the “unstable” model that occurs when there has been no (or minute) price change. Column 6, lines 42-61. Ouimet ‘893 appears to be able to produce either “complicated market models” or models devoid of adjustable parameters. Column 6, lines 57-61. As such, the adjustable values of Ouimet ‘893 refer to **penalties** to limit instability in **market models**, and appear to be unrelated to **cost modeling** as is disclosed in the present invention. Column 6, lines 18-20.

Moreover, the Examiner asserts “It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to receive variable costs and fixed costs with the motivation of creating both a fixed or variable market model.” However, in the present invention a **single cost model utilizing both** the variable costs and fixed costs is disclosed. Moreover, Applicants must assert that the penal nature of the adjustable parameters, as disclosed in Ouimet ‘893, in conjunction to being related to **stabilizing market models** is so far attenuated from the present invention of **generating cost modeling** as to be non-obvious.

As such, Applicants respectfully submit that the “configured to receive variable costs and fixed costs” in order to “to create a cost model” in the manner recited in Claims 1, 4 is non-obvious over Ouimet ‘641, alone or in conjunction with Ouimet ‘893. As such, Applicants respectfully traverse the rejection.

Furthermore, regarding Claim 1 the Examiner has stated that “[n]either Ouimet '641 nor Ouimet '893 disclose where costing activity includes labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, but Ouimet '641 does disclose determining the promotional cost by determining both optimum price and promotional activity, where the promotional cost represents the cost for each selected costing activity Col. 2, lines 5-17, thereby making the above limitations obvious . . . It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing in costing activities with the motivation of including factors that will affect the cost of developing a product.”

It is respectfully submitted that Ouimet '641 does not teach or suggest a system for where “costing activity include[es] labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, and wherein computing costs utilizes industry standards data.” in the manner recited in Claims 1, 4. Support can be found in page 75, lines 6-12 of the Specifications as filed.

Applicants respectfully assert that “promotional cost, i.e., the amount of **money spent on the promotion**” is single faceted and inherently different than the multifaceted totality cost approach as is disclosed by the present invention. (Emphasis added). Column 2, lines 7-8. Ouimet '641 appears to be concerned with “psychological effects” and “visibility”, to “tune” demand models, and never appears to suggest application beyond **psychological tuning**. Column 1, line 55, column 2, lines 1-3, and column 4 lines 4-7. Moreover, the “promotional cost” does not appear to teach or suggest any method for determining said cost. Within Ouimet '641 cost data appears to simply exist. This is not an oversight by the authors of Ouimet '641 as they are referring to simple “promotional costs” which are likely a singular value. For example, a newspaper ad (promotion) may cost \$400. No calculation, generation, inflection or estimation is required for such a promotion cost. The present invention, however, **generates a cost model**, by utilizing an array of cost variables and by utilizing industry standards data to limit required input. See Claims 1 and 4. This is a fundamentally different function and method than what is disclosed in Ouimet '641, and as such the Applicants

respectfully assert that the limited “promotional cost” does not suggest, nor make obvious, the “costing activity including labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, and wherein computing costs utilizes industry standards data” as recited in Claims 1 and 4. As such, Applicants respectfully traverse the rejection.

Also regarding Claim 1 and Claim 4 the Examiner has stated that “Ouimet '893 discloses: wherein said econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein said each said set is defined by a user such that each said set is unique to said user, (Col. 5, lines 57-64, shows items or products are analyzed according to a given group, also, col. 8, lines 28-38, shows market is broken into well defined groups for the selection of a model, w/ col. 10; lines 27-37, **shows sales of one item can depend on the sales of other items which lead to the demand for each item in a given group, where each set is represented by a group**, w/ col. 2, lines 19-32, shows that a definition derived from figure-of merit functions, is selected by a user to use in fitting the model parameters [for a consumer demand model], in this case, each group [set] is unique to said user since the user uses a certain definition for use in the selection of a model). Ouimet '893 discloses these limitations in an analogous art for the purpose of showing that products are in particular groups, and are therefore related. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the econometric engine [to] cluster said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products [and further wherein said each said set is defined by a user such that each said set is unique to said user] with the motivation of allowing a particular set of related products to be evaluated, and for preferred prices to be computed from the evaluation.” (Emphasis added).

Applicants respectfully submit that Ouimet '893 does not teach or suggest “wherein said econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein said each said set is defined by a user such that each said set is unique to said user, and wherein said sets are generated

by comparing product attribute information” in the manner recited in Claims 1, 4. Support can be found in page 17, lines 2-3 of the Specifications as filed.

Ouimet ‘893 appears to disclose that “the sales of one item can depend upon the parameters of **all other items**” which leads to “a system of coupled equations that describe the demand for each item in a given group.” (Emphasis added). Column 5, lines 57-64. Ouimet ‘893 appears to suggest that the grouping is based upon **all items’ whose sales “depend” upon one another**. (Emphasis added). Column 5, lines 57-64. Such a grouping will produce a seemingly diversified set of items.

This is unlike the present invention, where the “set is **defined by a user**” where the “set is made up of **highly substitutable related products**” and where the “sets are **generated by comparing product attribute** information” as recited in Claims 1 and 4. (Emphasis added). The grouping in Ouimet ‘893, which is based upon sales dependency, will, for example, invariably create a set which includes such disparate items as pickles and hamburger buns. While these items may be **related by sales**, they are by no means “highly **substitutable** related products” as claimed. (Emphasis added). As such the Applicants respectfully assert that the “group” based on sales “depend[ancy]” of Ouimet ‘893 does not suggest, nor make obvious, the “clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein said each said set is defined by a user such that each said set is unique to said user, and wherein said sets are generated by comparing product attribute information” as recited in Claims 1 and 4. Applicants would suggest that the groupings as disclosed by Ouimet ‘893 are in fact **incompatible** with the present invention because Ouimet ‘893 appears to group entirely non-substitutable items together. As such, Applicants respectfully traverse the rejection.

Also regarding Claim 5 the Examiner has stated that “Ouimet ‘893 discloses: creating a plurality of **discrete sets of related products whereby each said set is made up of highly substitutable related products**, further wherein each discrete sets of related products is a set of at least one product and wherein at least one of the discrete sets of related products a set of at least two products, (Col. 5, lines 57-64, shows items or products are analyzed according to a given group,

also, col. 8, lines 28-38, shows market is broken into well defined groups, w/ col. 10, lines 27-37, shows sales of one item can depend on the sales of other items which lead to the demand for each item in a given group). Ouimet '893 discloses these limitations in an analogous art for the purpose of showing that products are in particular groups, and are therefore related. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a plurality of discrete sets of related products whereby each said set is made up of highly substitutable related products, further wherein each discrete sets of related products is a set of at least one product and wherein at least one of the discrete sets of related products a set of at least two products . . . Ouimet '893 discloses; creating a model for determining the fraction of internal sales of each discrete set of related products made up by each product for said time period, (col. 8, lines 9-13, **shows demand parameter can depend on the degree to which the relative portion of the sales history is free of noise**, where the relative portion is analogous to the fraction of internal sales, lines 35-37, **[maximize market share by using demand model by breaking up market into smaller well-defined groups]**). Ouimet '893 discloses this limitation in an analogous art for the purpose of showing that a fraction or portion of the market share can be modeled and maximized by using the demand model. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a model for determining the fraction of internal sales of each discrete set of related products made up by each product for said time period with the motivation of determining a fraction or portion of market shares according to categories.” (Emphasis added).

Dependent Claim 5 has been amended to recite “creating a plurality of discrete sets of related products whereby each said set is made up of highly substitutable related products, wherein said sets are generated by comparing product attribute information, and further wherein each discrete sets of related products is a set of at least one product and wherein at least one of the discrete sets of related products is a set of at least two products; creating an internal sales model for each discrete sets of related products for modeling sales of each discrete sets of related products for a given time period in a given store; and creating a model for determining the fraction of internal sales of each discrete set of related products made up by each product for said time period.” Support for the amendments

to Claim 5 can be found in page 17, lines 2-3 of the Specifications as filed, which states “can use the product information to define ‘demand groups’ (i.e. groups of highly substitutable products).”

Applicants respectfully submit that Ouimet ‘893 does not teach or suggest “creating a plurality of discrete sets of related products whereby each said set is made up of highly substitutable related products, wherein said sets are generated by comparing product attribute information” in the manner recited in Claims 5 for at least the same reasons as discussed above at Claims 1 and 4. As such Applicants respectfully traverse the rejection.

In addition, Ouimet ‘893 does not appear to teach or suggest “creating a model for determining the fraction of internal sales of each discrete set of related products made up by each product for said time period” in the manner of Claim 5.

The act of simply dividing something, as is disclosed in Ouimet ‘893 at column 8, lines 35-37: “breaking up a retailer’s market into smaller, well-defined groups”, or basing parameters on the “degree to which the relative portion of the sales history is free of noise” is distinct from, and non-suggestive of, the claimed invention. Column 8, lines 12-13. Alternatively, generating a fraction of sales for products, as disclosed in Claim 5, compares the sales of a product to the product’s set’s total sales. Moreover, sales fractions of products within a novel grouping, as recited in Claim 5, is non obvious because the created “sets”, as argued above, are inherently novel. As such the Applicants respectfully traverse the rejection.

Examiner has also rejected Claims 2, 3 under 35 U.S.C. 103(a) as being unpatentable over Ouimet et al (US 6,094,641) and further in view of Ouimet et al (US 6,078,893), and further in view of Ouimet et al (US 6,308,162).

Regarding Claim 2 the Examiner has stated that “Ouimet '893 discloses: further wherein said rule parameters constrain the preferred set of prices to fall within limits conforming to business strategy, wherein said strategy implementation module is a natural language based rules engine which translates said price limiting strategic considerations into rules used by said price calculator, (Col. 1, lines 32-57, shows use of rule-based approach, and using a model-based approach to affect pricing where tuning of a demand model is done for fluctuations, col. 1, lines 32-35, **shown that**

simple rules-based approaches are known in the art, therefore, the use of natural language based rules is obvious with Ouimet '893 since the natural language based rule is a simple rules-based approach), Ouimet '893 discloses this limitation in an analogous art for the purpose of showing that rules are implemented when determining prices. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use rule parameters to constrain the preferred set of prices to fall within limits conforming to business strategy with the motivation of showing that prices can be determined according to a set of rules.” (Emphasis added).

Dependent Claim 2 has been amended to recite “a strategy implementation module, which stores a plurality of price limiting strategic considerations; and a price calculator connected to the strategy implementation module, the financial model engine, and the econometric engine, wherein the price calculator determines the preferred set of prices based on price limiting strategic considerations, the sales model, and the cost model, further wherein said price limiting strategic considerations iteratively constrain the preferred set of prices to fall within limits conforming to business strategy, wherein said strategy implementation module is a natural language based rules engine which translates said price limiting strategic considerations into rules used by said price calculator”

Support for the amendments to Claim 2 can be found in page 103, lines 5-8 of the Specifications as filed, which states “in addition to the constraints listed above, the preferred embodiment may model several other business rules via constraints. These include limits on group price advance or decline, brand pricing rules, size pricing rules, and unit pricing rules”, and at page 110, lines 10-17 of the Specification as filed which states “[p]roblem P3 has a nonlinear objective but only linear constraints . . . providing a good initial feasible solution derived by solving Problem P3 iteratively...”

Applicants respectfully submit that Ouimet '893 does not teach or suggest “wherein said price limiting strategic considerations iteratively constrain the preferred set of prices to fall within limits conforming to business strategy, wherein said strategy implementation module is a natural

language based rules engine which iteratively translates said price limiting strategic considerations into rules used by said price calculator” in the manner recited in Claim 2.

Ouimet '893 discloses that “model-based approaches . . . provide a more quantities approach than simple rules-based approaches” suggesting that method based approaches is distinct from “simple rules-based approaches.” Column 1, lines 32-34. In fact, Ouimet '893 appears to suggest that model-based approaches are incompatible with rules-based approaches. The claimed invention, however, is a model based system which incorporates strategic considerations, as recited in Claim 2. As such, one may infer that the **iterative** constraining of preferred prices by strategic considerations, as in Claim 2, is not a “simple rule-based approach” as disclosed by Ouimet '893. Column 1, lines 32-34. As such, Applicants respectfully traverse the rejection.

Examiner has also rejected Claims 6-13, 16 under 35 U.S.C. 103(a) as being unpatentable over Ouimet et al (US 6,094,641) and further in view of Ouimet et al (US 6,078,893), and further in view of Hartman et al (6,725,208).

Regarding Claim 6 the Examiner has stated that “Ouimet et al '641 discloses: . . . a financial model engine for modeling costs to create a cost model which includes an activity-based costing module **configured to receive variable costs and fixed costs**, where said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity.. (col. 4, lines 52-53, [pricing model], which includes an activity based costing module, Col. 2, lines 1-12, including visibility, and taking the promotional cost into account when modifying the demand model, in this case, the module is inherent with Ouimet since Ouimet's system is computer-implemented and in order to create models, a module is necessary in a computerized system); and . . . Ouimet '893 discloses: wherein said econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, (Col. 5, lines 57-64, shows items or products are analyzed according to a given group, also, col. 8, lines 28-38, shows market is broken into well defined groups for the selection of a model, w/ col. 10, lines 27-37, **shows sales of one item can depend on the sales of other items which lead to the demand for each item in a given**

group, w/ col. 2, lines 19-32, shows that a definition derived from figure-of merit functions, is selected by a user to use in fitting the model parameters [for a consumer demand model], in this case, each group [set] is unique to said user since the user uses a certain definition for use in the selection of a model). Ouimet '893 discloses these limitations in an analogous art for the purpose of showing that products are in particular groups, and are therefore related . . . It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, and further wherein said each said set is defined by a user such that each said set is unique to said user, with the motivation of allowing a particular set of related products to be evaluated, and for preferred prices to be computed from the evaluation . . . Ouimet '641 does disclose determining the promotional cost by determining both optimum price and promotional activity, where the promotional cost represents the cost for each selected costing activity Col. 2, lines 5-17, thereby making the above limitations obvious since labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing are all commonly utilized activities in product development that influence the actual cost for developing the product. It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing in costing activities with the motivation of including factors that will affect the cost of developing a product.” (Emphasis added).

Base Claim 6 has been amended to recite “an econometric engine for modeling internal sales as a function of price to create an internal sales model based on Bayesian modeling, wherein data from at least two stores is combined to obtain a Bayesian estimation of the internal sales model, further wherein said econometric engine clusters said plurality of products into discrete sets of related products whereby each said set is made up of highly substitutable related products, wherein said sets are generated by comparing product attribute information, further wherein said each said set is defined by a user such that each said set is unique to said user ; a financial model engine for modeling costs to create a cost model which includes an activity-based costing module configured to receive variable costs and fixed costs, **wherein variable costs are related to the volume of sales**

and wherein fixed costs are independent of volume of sales, wherein said cost model determines a total cost for each product in a given demand group in a given store for a given time period by computing a cost for each selected costing activity including labor, stocking time, transportation, receiving, inventory, bagging, checkout and invoicing, and **wherein computing costs utilizes industry standards data**; and an optimization engine coupled to the econometric engine and financial model engine to receive input from the econometric engine and financial model engine, wherein the optimization engine generates the preferred set of prices.” (Emphasis added).

As referenced above at Claims 1 and 4, support for the amendments to Claim 6 can be found in page 17, lines 2-3 of the Specifications as filed, which states “can use the product information to define “demand groups” (i.e. groups of highly substitutable products).” Also in page 75, lines 1-3 of the Specifications as filed, which states “variable cost components where the cost of an item is a function of the amount of sales of the item and fixed cost components where the cost of an item is not a function of the amount of sales of the item.” Also in page 75, lines 6-12 of the Specifications as filed, which states “[t]he financial model engine 108 uses industry data to provide standard estimates . . . standard estimates helps to reduce the amount of data that must be collected . . . to allow a cost modeling.”

As discussed above for Claims 1 and 4, Applicants respectfully submit that Ouimet ‘893 does not teach or suggest a system “configured to receive variable costs and fixed costs, wherein variable costs are related to the volume of sales and wherein fixed costs are independent of volume of sales” in order to “to create a cost model” in the manner recited in Claim 6. Moreover, as discussed above for Claims 1 and 4, Applicants respectfully submit that the “configured to receive variable costs and fixed costs” in order to “to create a cost model” in the manner recited in Claim 6 is non-obvious over Ouimet ‘641 alone, or in conjunction with Ouimet ‘893. As such Applicants respectfully traverse the rejection.

In sum, Claims 1-16 remain in this application and are now believed to be allowable. Base Claim(s) 1, 4 and 6 have been amended and is now believed to be allowable. Dependent Claims 2

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and 5 have been amended and are now believed to be allowable. Dependent Claims 2, 3, 5, 7-16 which depend therefrom are also believed to be allowable as being dependent from their respective patentable parent Claims 1, 4 and 6 for at least the same reasons. Hence, Examiner's rejection of dependent Claims 2, 3, 5, 7-16 are rendered moot in view of the amendment to base Claims 1, 4 and 6. Applicants believe that all pending Claims 1-16 are now allowable over the cited art and are also in allowable form and respectfully request a Notice of Allowance for this application from the Examiner. The commissioner is authorized to charge any fees that may be due to our Deposit Account No. 50-2766 (Order No. DEM1P001). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number 925-570-8198.

Respectfully submitted,

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